

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

JOHN ANTHONY CASTRO
12 Park Place, Mansfield, TX 76063

Plaintiff,

v.

SECRETARY OF STATE DAVID
SCANLAN
107 North Main Street, Room 204, Concord,
NH 03301

DONALD JOHN TRUMP
1100 S. Ocean Blvd, Palm Beach, FL 33480

Defendants.

Case No. 1:23-cv-00531

NOTICE OF SUPPLEMENTAL AUTHORITY

Castro v. Trump I was filed on September 5, 2023, when Plaintiff was nationally unknown of, still a private citizen, and neither Plaintiff nor Defendant Trump were on the ballot of any state. The First Circuit properly applied the unforgiving *Time-of-Filing Rule*, in accordance with Supreme Court precedent, to determine that Plaintiff lacked standing based on the facts as they existed at the time of filing on September 5, 2023.

The First Circuit went on to add that, even considering the facts from the Rule 65(a)(2) preliminary injunction hearing that was consolidated with an expedited bench trial on the merits, Plaintiff had not engaged *yet* in any in-state campaign activities. In fact, Appellee Defendant Donald John Trump expressly objected to their consideration of the campaign activities that took place after the hearing, which the First Circuit rightfully could not consider since they occurred on the same day the court published its opinion *leaving Plaintiff with no opportunity to move to amend his complaint*.

This new case does not contain those defects. The complaint in this case properly alleges current and direct competition, which is backed up by worldwide media coverage and testimony from two campaign volunteers who flew from Texas to New Hampshire to knock on doors and put up campaign yard signs.

This new case identifies, by name, the campaign volunteers who physically knocked on doors and placed campaign yard signs in New Hampshire beginning on the same day the ruling in *Castro v. Trump I* was published; leaving no opportunity to amend the complaint to capture that critical fact.

Plaintiff's purpose in filing this notice is to emphasize that there was no opportunity to amend the complaint in *Castro v. Trump I*. Campaign staffers were in New Hampshire at the same time the prior court published its ruling and closed the case.

Dated: January 1, 2024.

Respectfully submitted,

By: /s/ John Anthony Castro
John Anthony Castro
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Plaintiff Pro Se

VERIFICATION

I, John Anthony Castro, pursuant to 28 U.S.C. § 1746, verify under criminal penalty of perjury, that the entirety of the foregoing document is unequivocally true and correct.

Executed on January 1, 2024.

/s/ John Anthony Castro
John Anthony Castro

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was electronically filed with the Court via CM/ECG on January 1, 2024 and that all parties are registered users of said system and will be electronically notified.

/s/ John Anthony Castro
John Anthony Castro